

## EARLY ACTION ON DRAFT LAW CASES

High Court Has Before It  
Suits From Four States  
on the Subject.

(By Associated Press)

WASHINGTON, October 1.—Five big anti-trust cases involving the dissolution of the United States Steel Corporation, the International Harvester Company, the United Shoe Machinery Company and the Lehigh Valley Railroad and the Reading Companies and affiliated coal companies, the so-called anthracite coal trust cases, together with proceedings from four states to test the constitutionality of the draft law, are before the United States Supreme Court, which reconvened yesterday following the annual summer recess.

The opening yesterday was purely perfunctory, adjournment being taken almost immediately in order to permit Chief Justice White and his associates to pay their customary call on President Wilson. The hearing of arguments on the pending cases will begin tomorrow, but court officials do not anticipate any decisions being handed down for several weeks.

Among the first cases disposed of, it is expected, will be those growing out of the enforcement of the draft law. If these were permitted to come up in their regular order, they would not be reached for eighteen months, but Attorney General Gregory plans to ask that they be advanced for early decision. While government officials, and especially those connected with the War department, feel that there is no question about the validity of the law, a decision by the highest court would do much to discourage contrary sentiment manifested in various sections of the country.

Appeals from the decision of Judge Speer in Georgia, who upheld the constitutionality of the law, and cases from Minnesota, Ohio and New York, which include those of Emma Goldman and Alexander Berkman, convicted of attempting to oppose the carrying into effect of the law by urging men within the draft ages not to register, have been filed. All are expected to be decided at the same time.

Dates have not been fixed for the hearing of arguments in the anti-trust suits. These cases were argued last term. Rumors that owing to the war, action on them would be delayed until after peace was declared were met by Chief Justice White ordering them re-argued at this session. The cases stand near the top of the docket, and unless delays occur, court officials expect the Harvester and the anthracite trust cases to come up for consideration this month and the others shortly afterwards. This will be the second time the steel and the shoe machinery cases have been argued and the third time for the Harvester and anthracite suits.

The Harvester case was appealed to the Supreme Court from the Minnesota Federal court, which in 1914, ordered the dissolution of the company and its subsidiary organizations, combining \$224,000,000 assets, as being in violation of the Sherman law. The government maintains that the mere combining of competitive traders, voluntary or otherwise, into a "preponderant or dominant position" in an industry constitutes in itself a violation of the anti-trust laws. The defendants claim that a dissolution decree is not justified on the grounds of mere size and power, contending furthermore that the so-called Harvester trust is a "good" combination.

The enormous size and power alleged to be exercised in suppressing competition are the principal reasons upon which the dissolution of the United States Steel Corporation is asked by the government. Suit was brought in the New Jersey Federal district court in 1911, but was dismissed four years later by Judges Guffington, McPherson, Woolley and Hunt, who held that, although the corporation was formed for the purpose of illegally monopolizing and restraining trade, it has not been able alone to fix and maintain prices and is not an actual monopoly. The government at once appealed the case, and it was argued in March, 1917.

The proceeding in the shoe machinery case was instituted in the Massachusetts Federal district court in 1911, but was dismissed after voluminous testimony had been taken, the court sustaining the defendants on all grounds. This case also was argued before the Supreme Court in March, 1917, and later was ordered re-argued this term. The United Shoe Machinery Company was organized in 1899, with a capital stock of \$25,000,000. The government alleges that this concern has monopolized the shoe machinery field and upon the decision in this case rests the future of the American shoe industry.

Violation of the anti-trust law by restraining trade and violation of the commodities clause by transporting coal in which they were interested is charged by the government in the suits against the Lehigh Valley railroad company and the Reading company, a holding company, owning the Reading railroad, the Central Railroad of New Jersey, together with coal company stocks. The New York district court overthrew the government's contentions and dismissed the Lehigh case. In the Reading case, the lower court overruled all of the government's charges except to direct the separation of the Central Railroad of New Jersey from its subsidiary coal company, the Lehigh & Wilkes-Barre Coal company. The court refused to order the separation of the latter railroad and the Reading company, however, as asked by the government.

The Court this week will be asked to restrain the State of New Jersey and the Passaic Valley Sewerage commissioners from constructing a sewer emptying into New York Bay. The proceedings were brought on behalf of the State of New York, which alleges that the sewer would cause the pollution of the bay to the injury of the health of New York residents. The power is intended to gather the sewage and trade wastes from over 103 square miles in the Passaic valley and the Hudson river and indirectly at

## HE'S ON THE PEAK OF THE SINGER BUILDING, BUT HE'S NOT A BIRD



Hold this paper at an angle of 75 degrees above your head, and gaze upward thereat. Now you'll have an idea of how New Yorkers felt when they lapped this steepjack at work on the top-most tip of the Singer building flag-

pole. Sore neck and all. The American, British and French flags flung rally to the breeze helped make it a patriotic and pretty picture, and the cornices of other skyscrapers seemed about to fall on the upgazers far in the asphalted canyon depths.

## BITS OF STATE NEWS

fect thousands of residents of that district.

Another important case which has been placed on a special docket to be taken up this week is one resulting from the Interstate Commerce Commission's efforts to compel President, Milton H. Smith to answer questions regarding the Louisville & Nashville railroad's political activities and contributions. The case grew out of the Senate resolution introduced by Senator Lea, of Tennessee providing for an investigation of that railroad. President Smith refused to answer questions, claiming the commission's powers were purely statutory, and that it could not enter into an investigation of such matters. The commission appealed to the Supreme Court for the District of Columbia for a writ of mandamus, which was granted. The railroad president then appealed the case to this Court.

The work of the Supreme Court this year will be lightened some by a law passed by Congress last year which permits the Court to determine whether it will allow appeals to be made. So far this year about sixty applications to have cases reviewed have been received.

### TWELVE HOGS BRING \$1,000.

PARKERSBURG, W. Va., Oct. 2.—Twelve hogs sold here brought an even \$1,000, the largest price ever paid for pork in this section. The hogs were brought here by a Washington county, Ohio, farmer, and sold to Henry Morlang, a local butcher. A few years ago Wood county was one of the greatest hog-raising counties along the Ohio valley, but of late years few hogs have been raised in this county.

The whistle of the ill-fated steamer Kanawha figured the other day in an interesting suit which was tried before Magistrate Butcher at Parkersburg for the purpose of deciding the ownership of this musical whistle, one of the most famous on the Ohio river. After the accident to the Kanawha, when she had a hole ripped in her hull at Dam No. 19, nearly two years

ago, and sunk in the muddy-flood waters of the Ohio, near Lamps Landing, the tragedy resulting in the loss of sixteen lives, the hull and the remainder of the wreckage was sold to C. D. Dotson, for \$800. When the hull and the other parts of the boat were removed, the whistle could not be found. Later the whistle was found by some one who sold it to Edward Wright, one of the lock-tenders at Dam No. 19, who put it in use there. Capt. Patchel of the steamer Dunbar, passing there one day, heard and recognized the musical notes of the famous whistle. He borrowed it to use on his boat, giving Wright the Dunbar's whistle. Capt. Dotson also heard and recognized the notes of the Kanawha's whistle and made inquiry.

Learning that Wright claimed ownership, he made a demand for it, but Wright refused to give it up unless he was paid \$13.00, the amount he claimed he had paid to the party who had found it. Suit was then instituted by Capt. Dotson for the recovery of the whistle, and this suit was tried, the plaintiff being represented by Judge Reese Blizard, and the defendant by Krepes, Russell & Hiteshow. After hearing the evidence Magistrate Butcher decided in favor of the plaintiff and he will soon be in possession of the greatly prized whistle.

H. H. Harvey, who lives on Muddy Creek mountain within sight of Jane's Chapel, is doing his full duty in win-

ning this war for freedom, says the West Virginia News, published at Ronceverte. With but little help he put in this season four and a half acres of corn, four acres of buckwheat, five acres of wheat, six acres of hay, besides a big patch of potatoes. Mr. Harvey is about 68 years of age and experienced the vicissitudes of the war of 1861-65 when a boy. We are proud of our old men who can show a record like this. They are doing their share and are worthy of high mention.

Says the Weston Independent: "Samuel Ford, of Smith's Run, left an apple at our office on Thursday of the Wolf River variety, which weighed 17 ounces. He has a fairly good crop of this variety, but as this is not a good fruit year, they are not considered good keepers."

Following is an interesting article from the Martinsburg Journal: "A Vermont car passed through town today and attracted considerable attention because of its novel attachment. This was a twin-bed trailer that was easily and quickly converted into comfortable sleeping quarters."

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